

**IN THE TENNESSEE REGULATORY AUTHORITY  
NASHVILLE, TENNESSEE**

IN RE: )  
)  
APPLICATION OF CHATTANOOGA )  
GAS COMPANY, A DIVISION OF )  
PIEDMONT NATURAL GAS COMPANY, )  
INC., FOR AN ADJUSTMENT OF ITS )  
RATES AND CHARGES, THE )  
APPROVAL OF REVISED TARIFFS AND )  
APPROVAL OF REVISED SERVICE )  
REGULATIONS )  
)

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TN REGULATORY AUTHORITY  
DOCKET NO. 04-00034  
DOCKET NO. 04-00034

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**MOTION FOR LEAVE TO SUPPLEMENT THE RECORD**

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Comes the Tennessee Attorney General, through the Consumer Advocate Division of the Office of the Attorney General (hereinafter "Consumer Advocate"), and hereby moves the Tennessee Regulatory Authority ("TRA") for leave to file under seal the "35-CERT" documents referenced at pages 26-27 of "Response Testimony of Michael J. Morley" filed April 6, 2005, by Chattanooga Gas Company ("CGC").

As grounds for this motion, the Consumer Advocate states as follows:

1. At page 27 of his testimony filed April 6, 2005 regarding these documents, Michael J. Morley accuses Dr. Steve Brown of "failing to include all relevant information in his testimony" before the TRA.<sup>1</sup> Consequently, it is surprising that the subject documents were not submitted as an attachment to Mr. Morley's testimony. The Consumer Advocate proposes to supplement what would be an incomplete record to evaluate Mr. Morley's testimony.

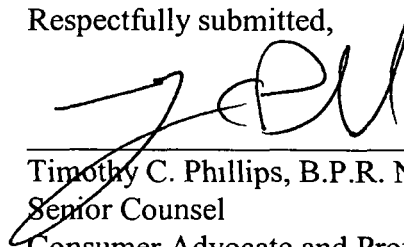
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<sup>1</sup> The Consumer Advocate objects to these inflammatory and inaccurate characterizations of its witness(es). The Consumer Advocate respectfully requests that the TRA ignore these and focus on the substantive issues before it.

2. Given CGC's position on reconsideration, the subject material is indisputably relevant. Upon review of the attached "35-CERT" material, the TRA will realize that this filing contains capital structures for Atlanta Gas Light Resources' ("AGLR") subsidiaries that are significantly different from the capital structure CGC asks the TRA to accept. In fact, the capital structures contained within these documents are outside a realistic range for the equity component of some of AGLR subsidiaries. These concerns go to whether the TRA should view CGC's approach as having the consistency and reliability to compel the TRA to set aside its prior ruling. More importantly, the concerns raised by an objective examination of these documents point squarely to the substantive issue the Consumer Advocate asks the TRA to review, rather than the extraneous comments submitted by CGC. The TRA should hold that the post-hearing material submitted by CGC fails to meet CGC's burden on reconsideration.<sup>2</sup>

WHEREFORE, the Consumer Advocate respectfully requests that this material be submitted as evidence into the record for due consideration by the TRA. As a precautionary measure, the "35-CERT" material is attached and treated as a confidential and proprietary filing.<sup>3</sup>

Respectfully submitted,



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<sup>2</sup> None of CGC's unverified numbers are an appropriate predicate for reversing the sound judgment of this TRA. CGC's unverified data gathered over a shortened time line is infused with potentially self-serving estimates and projections, which are subject to a board in control of several subsidiary interests,

<sup>3</sup> The Consumer Advocate takes no position on whether the designation by CGC of this material as confidential and proprietary is correct.

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the Motion For Leave To Supplement The Record has been served via first-class U.S. Mail, postage prepaid, on April 26, 2005, upon:

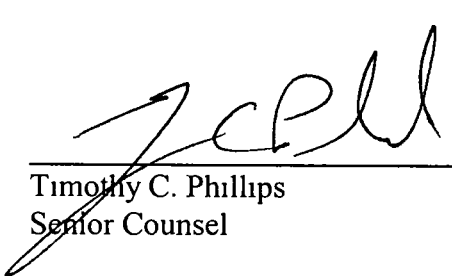
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